

..TITLE

Vote on a request to approve the Chatham County Subdivision Regulations to add a definition for utility lots and accessory dwelling units to Section 2. The request also includes clarification to Section 3, Security for Completion and Maintenance of Improvements, Section 5, Procedure for Subdivisions, Section 6.2 Additional First Plat Information, Sections 7.4, Lots, and addition of plat notes to Section 11 Appendix A: Certification Forms for Initial and Final Approvals.

..ABSTRACT

Action Requested:

A request to amend the Chatham County Subdivision Regulations to add a definition for utility lots and accessory dwelling units to Section 2. The request also includes clarification to Section 3, Security for Completion and Maintenance of Improvements, Section 5, Procedure for Subdivisions, Section 6.2 Additional First Plat Information, Sections 7.4, Lots, and addition of plat notes to Section 11 Appendix A: Certification Forms for Initial and Final Approvals.

Introduction & Background:

The county has initiated amendments across multiple ordinances such as the Zoning Ordinance, Impact Fee Ordinance and Watershed Ordinance for the purpose of consistency regarding accessory dwelling units and utility lots. Additional “housekeeping” items have been added to the Subdivision Regulations that are discussed in detail below.

The amendments were brought for discussion with the Board of Commissioners April 2014 with a staff follow up August 18th. A public hearing on these items was held September 15th and no input from the public was received. The Technical Review Committee also reviewed these amendments with no additional comments October 15th.

PLANNING BOARD ACTION

The Planning Board met during their regularly scheduled meeting on November 4th, 2014. Discussion was raised concerning the accessory dwelling unit size, however the Board settled on the proposed increase to 1,500 heated square feet and recommended approval of the proposed text amendments in an 7-3 vote.

Discussion & Analysis:

Utility Lots: The amendments include a definition for major and minor utilities as found in Attachment 1. The definitions create a clear distinction between minor utilities such as pump houses and major utilities such as wastewater treatment plants and exempt minor utilities from minimum lot size requirements. A plat note, Form 15, is also being proposed that will clearly label the smaller utility lots as such on the recorded plat.

Accessory Dwelling Units: Currently the Subdivision Regulations do not define accessory dwelling units. This lack of definition has created inconsistencies across the county regarding maximum size of the dwelling unit. The proposed definition (see Attachment 1) will mirror the definition for accessory dwelling unit within the Zoning Ordinance, Impact Fee Ordinance and Watershed Ordinance. Note this definition includes an increase to 1,500 heated square feet as the maximum dwelling unit size.

Additional Notes- Section 11: Several plat notes have been proposed for addition to Section 11. The addition of these notes are housekeeping in nature in that they reflect current ordinance standards for riparian buffers as well as watershed and stormwater regulations.

Major Subdivisions- First Plat: The amendments within the section pertaining to the submittal of Environmental, Historical Structures and Cemeteries Information serve to clarify the information the applicant is required to submit for first plat. Copies of the county riparian buffer determinations and state/federal reports of wetland and stream delineations are what applicants provide to county staff currently, but the regulations are not clear in stating the names and types of reports required.

First Plat- EIA Submittal Requirements: The amendment to this section of the Regulations regarding Environmental Impact Assessments create consistency with First Plat submittal standards. Riparian buffer delineations and submittal of state/federal reports is standard for Major Subdivision applicants and is readily available for those applicants going through the process.

Adequate Security and Certificate of Satisfactory Completion: It is recent legal interpretations that created this amendment requiring a registered landscape architect, among other licensed professionals to determine the amount of securities for subdivision improvements. The same professional licensure requirements extend to the certification of improvement completions.

Recommendation:

The Planning Board by 7-3 vote and planning staff recommends approval of the proposed amendments, consistent with Section 1.12 Amendments.